

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

XR COMMUNICATIONS, LLC, dba,
VIVATO TECHNOLOGIES,

Plaintiff,

v.

T-MOBILE USA, INC.,

Defendant.

Civil Action No. 2:23-CV-00204-JRG

(Member Case)

JURY TRIAL DEMANDED

**DEFENDANT T-MOBILE USA, INC.’S UNOPPOSED MOTION FOR EXTENSION
OF TIME TO SERVE INITIAL AND ADDITIONAL DISCLOSURES**

Defendant T-Mobile USA, Inc. (“T-Mobile”) respectfully files this Unopposed Motion for Extension of Time to Serve Initial and Additional Disclosures and would respectfully show the Court as follows:

Pursuant to the Court’s Docket Control Order (Dkt. 40), the current deadline for T-Mobile to serve its Initial and Additional Disclosures is August 31, 2023. T-Mobile requests a brief fourteen-day extension from August 31, 2023, up to and including September 14, 2023, to serve its Initial and Additional Disclosures. Good cause exists for this brief fourteen-day extension. At this time, T-Mobile is in the process of a corporate restructuring. T-Mobile’s outside counsel is diligently working with T-Mobile’s in-house counsel and/or employees to prepare T-Mobile’s Initial and Additional Disclosures during this ongoing corporate restructuring. However, T-Mobile needs additional time to finalize its Initial and Additional Disclosures. This brief fourteen-day extension will allow any newly-assigned in-house counsel and/or employees to this case to familiarize themselves with the case and ensure that the appropriate and relevant information is included in T-Mobile’s Initial and Additional Disclosures.

T-Mobile represents that this extension is not sought for the purposes of delay but rather so that justice may be served. Counsel for T-Mobile met and conferred with counsel for Plaintiff XR Communications, d/b/a, Vivato Technologies (“Plaintiff”), and counsel for Plaintiff indicated that Plaintiff is unopposed to the relief sought in this Motion.

WHEREFORE, T-Mobile respectfully requests that the Court grant this Unopposed Motion for Extension of Time to Serve Initial and Additional Disclosures and extend the deadline for T-Mobile to serve its Initial and Additional Disclosures from August 31, 2023, up to and including September 14, 2023.

Dated: August 31, 2023

Respectfully submitted,

/s/ Melissa R. Smith

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Counsel for Defendant T-Mobile USA, Inc.

CERTIFICATE OF CONFERENCE

The undersigned hereby certifies that counsel for T-Mobile met and conferred with counsel for Plaintiff regarding the substance of this Motion. Counsel for Plaintiff indicated that Plaintiff is unopposed to the relief sought in this Motion.

/s/ Melissa R. Smith

Melissa R. Smith

CERTIFICATE OF SERVICE

The undersigned hereby certifies that all counsel of record who are deemed to have consented to electronic service are being served with a true and correct copy of the foregoing document via the Court's CM/ECF system per Local Rule CV-5(a)(3) on August 31, 2023.

/s/ Melissa R. Smith

Melissa R. Smith